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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/987,086	11/13/2001	Katsuhide Yajima	Q67205	6338

7590 10/06/2003

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EXAMINER

ELKASSABGI, HEBBA

ART UNIT PAPER NUMBER

2834

DATE MAILED: 10/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/987,086	<b>Applicant(s)</b> YAJIMA ET AL.	
	<b>Examiner</b> Heba Elkassabgi	<b>Art Unit</b> 2834	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) 11-13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
    1. ☒ Certified copies of the priority documents have been received.  
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
    3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
    \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                 | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____   |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)        | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ | 6) <input type="checkbox"/> Other:  |

## **DETAILED ACTION**

### ***Election/Restrictions***

Submitted claims 11-13 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: The original set of submitted claims did not include method claims, the original set of submitted claims are drawn to the structure of the motor.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 11-13 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03. The applicant needs to officially cancel claims 11-13.

### ***Drawings***

*The drawing objection in the previous office action is withdrawn upon applicant's remarks. However, the drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the claimed subject matter of claim 2 of the "holding portion" must be shown or the feature canceled from the claim. For purpose of examination the examiner will assume that the holding portion can also constitute the cap. No new matter should be entered.*

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

The 35 USC § 112 objections in the previous office action are withdrawn in light of applicant's remarks.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3,5-8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagata et al. (U.S. Patent 5486054) and further in view of Asai (J.P.Application 62185494) and Kawasnishi (U.S. Patent 5886438).

Nagata et al. discloses in figure 6, a motor (2) having a stator (5) provided with at least two stator cores, the cores being stacked in an axial direction of the motor (2), and a rotor (6) accommodated within a stator (5). Wherein a positional regulation part (mounting plate and position bushing, 33 and 3) is located on one side face of a stator (5) and integrally formed with the bobbins, and a rotor (6) being rotated while being

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urged by an urging member (thrust spring, 30) in the axial direction of said rotor. A support portion, which is constituted by a cap portion (9) having a circular hole on which a slide bearing (pivot bearing, 11) is positioned, and located on another side face of the stator in which the positional regulation part (mounting plate and position bushing, 33 and 3) and the support portion (9 and 11) regulate the position of the rotor both in the thrust and radial direction. A slide bearing (pivot bearing 11) movable in the axial direction of the rotor (6) and rotatably receiving one end of a shaft (8) of a rotor (6), and wherein a holding portion (cap 9) for holding a slide bearing (pivot bearing, 11) that is provided integrally with a bobbin and the urging member is attached to the holding portion (cap 9). Additionally, the other end of the shaft (8) protrudes from the bearing (bushing, 33), and a lead screw portion is formed in form the protruded portion. However, Nagata et al. does not disclose that the stator core each core having an outer yoke and an inner yoke, a washer, and a resin coil bobbin insert molded with at least two metallic stator cores.

Asai discloses in figures 1 and 2 a motor having a stator (10 and 20), and a rotor (30) disposed within the stator (10 and 20), in which the each stator core (13 and 23) having an outer (11 and 21) and inner yoke (12 and 22). Additionally, a plain washer (43) that is urged by an urging member (a leaf spring plate 240) that has a spring force to range against a displacement to produce a uniform pressurizing force of the rotor.

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Kawanishi discloses in Figures 2 and 3 a stepping motor having a stator (7) and a rotor (6) in which the rotor is disposed within the stator (7). The stator cores are coils (11), with a bobbin having inner and outer yokes (bobbins 10) in which they are integrally formed of a resin material (20), thereby forming a resin (20) material and that the stator is insert-molded in the resin material (20), in order to integrally form a rear bearing, a coil bobbin, and the positioning portion of a motor holder.

It would have been obvious to one of ordinary skill in the art to combine the motor structure of Nagata with the stator structure of the yoke, coil, and washer of Asai in order to produce a uniform pressurizing force of the rotor and the Stator core structure of Kawanishi in order to integrally form a rear bearing, a coil bobbin, and the positioning portion of a motor holder.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground of rejection.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

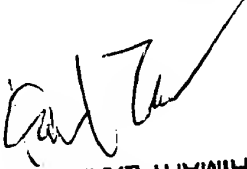
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Heba Elkassabgi whose telephone number is (703) 305-2723. The examiner can normally be reached on M-Th (6:30-3:30), and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (703) 308-1371. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

HYE

  
KARL TAMAI  
PRIMARY EXAMINER